

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference MASIMO.149VP	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 99/ 31054	International filing date (day/month/year) 28/12/1999	(Earliest) Priority Date (day/month/year) 30/12/1998
Applicant MASIMO CORPORATION		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

4



as suggested by the applicant.



None of the figures.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/31054

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 651 370 A (HERSH ET AL.) 29 July 1997 (1997-07-29) column 6, line 10 -column 9, line 38 ---	1,12
A	US 5 243 992 A (ECKERLE ET AL.) 14 September 1993 (1993-09-14) abstract column 7, line 19 -column 12, line 55 ---	1,5-7, 12,14,15
A	US 4 960 126 A (CONLON ET AL.) 2 October 1990 (1990-10-02) column 5, line 17 -column 8, line 50 figures 6,7 ---	1,4-7, 12,14-16
A	WO 94 27492 A (NIMS, INC.) 8 December 1994 (1994-12-08) page 12, line 21 -page 14, line 22 figure 1 ---	1,5,12, 15
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

21 April 2000

Date of mailing of the international search report

02/05/2000

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/31054

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>CHRIST F ET AL: "TIME DISCRETE, NEAR INFRARED PHOTOPLETHYSMOGRAPHY (NIRP) FOR NON-INVASIVE INVESTIGATION OF THE VOLUME PULSE IN MAN" EUROPEAN JOURNAL OF MEDICAL RESEARCH, DE, MUNICH, vol. 1, no. 5, 22 February 1996 (1996-02-22), pages 237-243, XP000199941 ISSN: 0949-2321 page 240, right-hand column, line 8 -page 241, left-hand column, line 10 figure 5</p> <p>-----</p>	1, 2, 12, 13

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/31054

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5651370	A	29-07-1997	US 5590662 A	07-01-1997
US 5243992	A	14-09-1993	NONE	
US 4960126	A	02-10-1990	NONE	
WO 9427492	A	08-12-1994	AU 6942494 A	20-12-1994
			US 5588425 A	31-12-1996